

EXPRESS MAIL NO. EL264464316US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Monto H. KUMAGAI, *et. al.*

Application No.: 09 359,300

Filed: July 21, 1999

For: **METHOD OF DETERMINING THE  
PRESENCE OF A TRAIT IN A PLANT  
BY TRANSFECTING A NUCLEIC  
ACID SEQUENCE OF A NON-PLANT  
DONOR INTO A HOST PLANT IN A  
POSITIVE ORIENTATION**

Art Unit: 1643

Examiner: Unassigned

Attorney's Docket No: 08010137US07

TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

**BOX: MISSING PART**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R.  
§1.53(d) dated August 25, 1999, enclosed please find:

- [1] Form PTO-1533;
- [2] Combined Declaration and Power of Attorney for Patent Application; and
- [3] Return post card.

The Commissioner is hereby authorized to charge the sum of \$3,394.00 for the basic filing fee for a large entity and additional claims fees, and any other appropriate fees, under 37 C.F.R. §§1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 08-3038. This paper is submitted in duplicate.

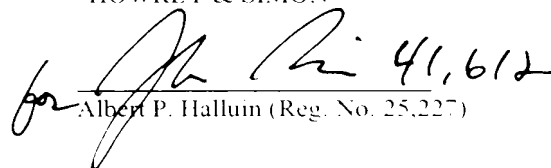
Respectfully submitted,

HOWREY & SIMON

Date: October 25, 1999

**HOWREY & SIMON**

Box No. 34  
1299 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
(650) 463-8100

  
Albert P. Halluin (Reg. No. 25,227)



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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*Sealed*

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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DATE MAILED:

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 3392.00.

☒ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ 7,000.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ 16,400.00 for 10 total claims over 20.

\$ 6,240.00 for 8 independent claims over 3.

\$ 2,000.00 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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10/28/1999  
01 FC:101  
02 FC:103  
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05 FC:105  
760.00 CH  
1620.00 CH  
624.00 CH  
260.00 CH  
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